

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

**1:12-mc-60**

**Janet T. Neff  
U.S. District Judge**

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**MEDTRONIC, INCORPORATED  
MEDTRONIC SOFAMOR DANEK,  
INCORPORATED,  
MEDTRONIC PS MEDICAL,  
INCORPORATED, d/b/a  
MEDTRONIC NEUROLOGIC  
TECHNOLOGIES, and  
MEDTRONIC SOFAMOR DANEK CO., LTD**

**Movants**

**v.  
STRYKER CORPORATION**

**Respondent**

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**Case No. \_\_\_\_\_-MISC**

**CIVIL MISCELLANEOUS ACTION FOR PETITION TO ENFORCE SUBPOENA  
MEDTRONIC COMPANIES' MOTION TO COMPEL  
STRYKER CORPORATION  
TO COMPLY WITH SUBPOENA DUCES TECUM**

Movants Medtronic, Inc., Medtronic Sofamor Danek, Inc., Medtronic PS Medical, Inc., Medtronic Neurological Technologies, and Medtronic Sofamor Danek Co., Ltd., (collectively, the "Medtronic Companies" or "Medtronic") respectfully move this Court for an order compelling Stryker Corporation ("Stryker") to produce documents in response to a subpoena duces tecum Pursuant to Fed. R. Civ. P. 45(c)(2)(B)(i). The Medtronic Companies are Defendants in a lawsuit pending in the District of Colorado, *Lenox MacLaren Surgical Corp. v. Medtronic, Inc., et al.*, Civ. A. 10-cv-02139-RPM (D. Col.). Respondent Stryker is a medical device company headquartered in Kalamazoo, Michigan. Stryker has objected to the production documents responsive to the vast majority of the Medtronic Companies' subpoena requests on the grounds of confidentiality. Pursuant to Local Rule 7.1(d), counsel for the Medtronic Companies conferred with counsel for Stryker on April 20, 2012 in an effort to resolve their disputes regarding the subpoena, but have been unable to reach any agreement. Filed contemporaneously with this Motion is a Memorandum of Law in Support of the Medtronic Companies' Motion to Compel.

Dated: May 16, 2012

Respectfully submitted ,



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C. Fairley Spillman (*admission pending*)  
Akin Gump Strauss Hauer & Feld, LLP  
1333 New Hampshire Ave, NW  
Washington, DC 20036  
Tel: 202-887-4000  
Fax: 202-887-4288  
[fspillman@akingump.com](mailto:fspillman@akingump.com)

**CERTIFICATE OF SERVICE**

I certify that a copy of the above pleading has been served on counsel for Stryker Corporation, this 16th day of May, 2012, via overnight delivery and via email.

Craig H. Lubben  
Miller Johnson  
303 North Rose Street  
Suite 600  
Kalamazoo, MI 49007-3850  
[LubbenC@millerjohnson.com](mailto:LubbenC@millerjohnson.com)

/s/  
C. Fairley Spillman